

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STEVEN MESTER,

Petitioner,

v.

Case Number 18-11933

Honorable David M. Lawson

STATE OF MICHIGAN,

Respondent.

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**ORDER TO TRANSFER PETITION TO THE WESTERN DISTRICT OF MICHIGAN**

Steven Mester, currently confined at the St. Joseph County Jail in South Bend, Indiana, has submitted a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging untried charges and a detainer filed against him in Michigan. The respondent recently filed an answer to the petition clarifying that the state court case concerns a first-degree retail fraud charge in Van Buren County, Michigan with a corresponding warrant issued by Michigan's 7th District Court in May 2017. Answer at 3. A habeas petition submitted by a person in state custody may be filed in the district where the person is in custody or in the district where the person was convicted and sentenced. *See* 28 U.S.C. § 2241(d). The district court in which the petitioner files his habeas petition in the exercise of its discretion and in furtherance of justice may transfer the petition to the other district court for hearing and determination. *Ibid.*

This Court has jurisdiction to review the petitioner's claims. *See Braden v. 30th Judicial Circuit Ct. of Ky.*, 410 U.S. 484, 494-95 (1973). However, the petitioner is confined in Indiana, and he challenges a criminal charge and possible detainer filed in Van Buren County, Michigan, which lies in the Western District of Michigan. *See* 28 U.S.C. § 102(b)(1). Because the petition is not properly before this Court under section 2241(d), the Court in the exercise of its discretion

and in furtherance of justice will transfer the petition to the United States District Court for the Western District of Michigan for hearing and determination.

Accordingly, it is **ORDERED** that the Clerk of Court shall **TRANSFER** the petition to the United States District Court for the Western District of Michigan.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Date: May 7, 2019

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 7, 2019.

s/Susan K. Pinkowski  
SUSAN K. PINKOWSKI